

Art Unit: 3767

DETAILED ACTION

The Affidavit filed on 5/5/2006 under 37 CFR 1.131 is sufficient to overcome the Mayberg (US 2003/0149450) and Kim (US 2004/0073197) references.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Paul H. McDowall on 2/28/2007.

The application has been amended as follows:

- MR
3-20-7
- 1) Claims ~~28~~³⁸-74 have been cancelled.
 - 2) In claim 1, at line 3 after "treat one of"
--- pre-existing --- has been inserted.
 - 3) In claim 1, at line 3 after "heart failure ("HF") and"
--- pre-existing --- has been inserted.
 - 4) In claim 1, at line 5 after "drug delivery portion"
--- is --- has been deleted.
- W